

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-80007-CR-MIDDLEBROOKS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL SHAPIRO,

Defendant.

UNOPPOSED MOTION TO CONTINUE

Defendant, Michael Shapiro, by and through his undersigned counsel, requests this Court to continue his Plea Acceptance deadline and Calendar Call currently set for February 21, 2024 and his Jury Trial scheduled for February 26, 2024 for a period of 60 days. As grounds therefor, Defendant states:

1. Mr. Shapiro was Indicted for allegedly making various threats in violation of 18 U.S.C. § 875(c). Discovery was due last week, but at this time, the government could only disclose a report because they have not received the remaining discovery from their case agent. Therefore, material discovery (including the alleged threats) have not yet been provided to undersigned counsel. Undersigned counsel will need to time review the discovery, which has not yet been received, prior to advising her client. Notably, undersigned

counsel is out of the district on annual leave from February 17-21, 2024, which includes the calendar call date in this case.

2. Additionally, Mr. Shapiro suffers from alcohol use disorder and major depression. He was unstable when this case was initiated and when he made his initial appearance. Since then, Mr. Shapiro has seen various counselors, psychologists, and a psychiatrist last Friday, February 9, 2014 to begin medication. Mr. Shapiro is working with the United States Probation Office to determine if a sober home or residential center would better provide treatment for his disorders. Mr. Shapiro's continued treatment will aid in his ability to understand his legal options and to make a knowing and voluntary decision regarding this case.
3. Additionally, undersigned counsel was advised that an outside district may be prosecuting Mr. Shapiro for similar conduct in the near future. AUSA Mark Dispoto suggested a continuance in this case so that we could attempt to work out both cases through a global resolution. Mr. Shapiro may also seek a Rule 20 transfer of that case to our district. Mr. Shapiro is interested in reaching a resolution for all of his conduct with the United States government.
4. As such, Assistant United States Attorney Mark Dispoto has no objection to this continuance.

5. Lastly, Mr. Shapiro agrees to a waiver of speedy trial during the time sought in this motion.

WHEREFORE, Defendant requests this Court to grant the above-styled motion and continue the Plea Acceptance deadline, Calendar Call, and trial date for a period of 60 days.

Respectfully submitted,

MICHAEL CARUSO
Federal Public Defender

s/ Kristy Militello

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CERTIFICATE OF SERVICE

I hereby certify that on February 12, 2024, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

s/ Kristy Militello
Kristy Militello